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Editorial: \$20 per hour for public records?

Filed Jan. 18 by Republican State Rep. Kathy Richardson, House Bill 1523 could make routine public records requests unattainable simply due to cost.

“[The bill] allows a state or local government agency to charge a maximum hourly fee for any records search that exceeds two hours,” reads the bill. “If the public agency charges a search fee, the agency shall charge an hourly fee that does not exceed the lesser of: (1) the hourly rate of the person making the search; or (2) \$20 per hour.”

The bill itself was advanced Wednesday by the House Committee on Local Government.

If carried to its logical conclusion, where does this lead us? A newspaper in Washington state may have accidentally found the answer.

“In an unprecedented move, Langley Mayor Tim Callison began a new practice of billing the media for speaking with a city employee,” reported Evan Thompson and Justin Burnett of the Whidbey News-Times on March 10. “On [March 9,] Callison emailed the South Whidbey Record, sister newspaper of the Whidbey News-Times, a \$64 invoice for time city attorney

Mike Kenyon spent in February responding to a reporter's question.

Callison said the 'city attorney's time is not free' and that the newspaper should reimburse city hall."

This entire line of thinking is totally bogus. Government officials work for the public. They have a responsibility to increase, not decrease access to public records. This is nothing more than a thinly disguised penalty for asking questions officials don't feel like answering.

The charge per hour idea is further infuriating because the amount of time and expense being charged is totally up to the government employee who fills the request.

"A public agency shall make a good faith effort to complete a search for a record within a reasonable time in order to minimize the amount of a search fee," reads the bill. "The fee must be prorated to reflect any search time of less than one hour."

One person's "good faith effort" can be another's "slowdown" tactic. And who but the person in question would be able to determine which is which? If you receive a bill for four hours of work instead of three to whom would you appeal? The whole thing is a farce.

This isn't a problem only for journalists. You, the public, will be kept more in the dark than ever if this passes. Call your legislator and demand this unfair idea be voted down.

